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November 14, 2005

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2634

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 09/590,955; Filed: June 9, 2000
For: **Phase Shifting Applications of Universal Frequency Translation**
Inventors: Johnson *et al.*
Our Ref: 1744.0710005

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Ninth Supplemental Information Disclosure Statement;
2. Form PTO-1449 (3 pages); and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
November 14, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

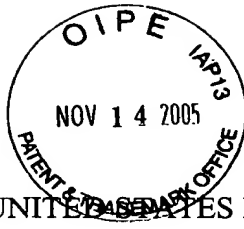
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey T. Helvey
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Registration No. 44,757

Enclosures

JTH/agj
465331_1.DOC



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Johnson *et al.*

Appl. No.: 09/590,955

Filed: June 9, 2000

For: **Phase Shifting Applications of
Universal Frequency Translation**

Confirmation No.: 2387

Art Unit: 2634

Examiner: Odom, Curtis B.

Atty. Docket: 1744.0710005

Ninth Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Ninth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Ninth Supplemental Information Disclosure Statement filed on October 19, 2005 in connection with the above-captioned application.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AI63 and AA64-AD64 were cited in an Office Action in related U.S. Patent Application No. 10/197,255, filed July 18, 2002, entitled "Networking Methods and Systems," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 6,850,742, which has already been cited in the present application.

Documents AE64 is a co-owned patent which is directed to related subject matter.

Documents AF64 and AG64 were cited in an Office Action in related U.S. Patent Application No. 09/569,045, filed May 10, 2000, entitled "Methods And Apparatuses Relating To A Universal Platform Module And Enabled By Universal Frequency Translation Technology," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 5,844,868, which has already been cited in the present application.

Documents AH64, AI64, and AA65-AD65 were cited in a Notice of Allowance in related U.S. Patent Application No. 10/961,272, filed October 12, 2004, entitled "Apparatus, System, And Method For Down-Converting And Up-Converting Electromagnetic Signals," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 6,853,690, which has already been cited in the present application.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below:

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a

communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more

than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document appears below in accordance with 37 C.F.R. § 1.98(a)(3):
- ☒ 7. In accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents cited on the attached Form PTO-1449 are not enclosed.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey T. Helvey
Attorney for Applicants
Registration No. 44,757

Date: 11/14/05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

465109_1.DOC

FORM PTO-1449

ATTY. DOCKET NO.
1744.0710005APPLICATION NO.
09/590,955**NINTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**FIRST NAMED INVENTOR
Martin R. JohnsonFILING DATE
June 9, 2000ART UNIT
2634**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL | DOC. REF. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|--------------|-----------------|---------|------|-------|-----------|-------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI63 | 5,703,584 | 12/1997 | Hill | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOC. REF. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|--------------|-----------------|------|---------|-------|-----------|-------------|
| | AJ | | | | | | Yes No |
| | AK | | | | | | Yes No |
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| EXAMINER INITIAL | DOC. REF. | CITATION |
|---------------------|--------------|----------|
| | AN | |
| | AO | |
| | AP | |
| | AQ | |
| | AR | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

ATTY. DOCKET NO.
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09/590,955

NINTH SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT

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| EXAMINER INITIAL | DOC. REF. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|--------------|-----------------|---------|--------------------------|-------|-----------|-------------|
| | AA64 | 5,887,001 | 03/1999 | Russell | | | |
| | AB64 | 6,298,065 B1 | 10/2001 | Dombkowski <i>et al.</i> | | | |
| | AC64 | 2002/0080728 A1 | 06/2002 | Sugar <i>et al.</i> | | | |
| | AD64 | 2002/0163921 A1 | 11/2002 | Ethridge <i>et al.</i> | | | |
| | AE64 | 6,963,734 B2 | 11/2005 | Sorrells <i>et al.</i> | | | |
| | AF64 | 6,005,506 | 12/1999 | Bazarjani <i>et al.</i> | | | |
| | AG64 | 6,438,366 B1 | 08/2002 | Lindfors <i>et al.</i> | | | |
| | AH64 | 2001/0015673 A1 | 08/2001 | Yamashita <i>et al.</i> | | | |
| | AI64 | 2003/0045263 A1 | 03/2003 | Wakayama <i>et al.</i> | | | |

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|---------------------|--------------|-----------------|------|---------|-------|-----------|-------------|
| | AJ | | | | | | Yes No |
| | AK | | | | | | Yes No |
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |

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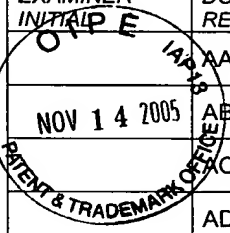
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|--|--------------|-----------------|---------|----------------------|-------|-----------|-------------|
|  | AA65 | 5,196,806 | 03/1993 | Ichihara | | | |
| | AB65 | 5,410,195 | 04/1995 | Ichihara | | | |
| | AC65 | 6,404,823 B1 | 06/2002 | Grange <i>et al.</i> | | | |
| | AD65 | 6,618,579 B1 | 09/2003 | Smith <i>et al.</i> | | | |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI | | | | | | |

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| | AJ | | | | | | Yes No |
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